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This Compensation Statute is hereby enacted to establish the compensation levels for the Tribal Council based on Constitutional duties. This Statute replaces and repeals Waganakising Odawak Statute 2010-017 Constitutionally Mandated Compensation for Tribal Council Members, Waganakising Odawak Statute 2008-014 Constitutionally Mandated Compensation Statute Waganakising Odawak Statute 2003-05 *Tribal Council Compensation* and WOS 2005-04 *Constitutionally Mandated Compensation* and any previous Statute, Resolution or Policy language with regard to compensation levels for such positions as stated in this purpose.

A. “Salary” means the amount of annual pay for attendance at regularly scheduled Tribal Council meetings, work-sessions, legislative committee meetings, phone-polls, phone conferences, emergency meetings, hearings, travel, training, committee meetings, ~~or~~ electronic meetings, and any other activity in conjunction with carrying out Tribal Council Constitutional duties or any relevant Statute, to be paid pro rata, in equal increments and shall follow the practice of the Little Traverse Bay Bands of Odawa Indians governmental employees.

C.B. “Tribal Constitution” means the LTBB Constitution adopted by the Tribal Membership February 1, 2005.

~~D.C.~~ "Tribe" shall mean the Little Traverse Bay Bands of Odawa Indians.

SECTION III. COMPENSATION CHANGE RESTRICTIONS

Any statutory amendment changing the level of compensation for a Tribal Council members must be enacted before the Election Board distributes candidate petitions for the next election.

SECTION IV. COMPENSATION ESTABLISHED

~~A. Cost of Living Allowance, (COLA). The below stated compensation shall be subject to COLA, and shall be accumulative in its effect. The amount and timing of any adjustments of the compensation for COLA shall follow the practice of the Tribal government employees. The~~
following Tribal Council positions will be compensated as follows:

~~1. Legislative Leader, \$35,000.00, plus accumulative COLA~~

~~2. 1.~~

~~2. Tribal Secretary, \$35,000.00~~

~~— Tribal Treasurer, \$35,000.00, plus accumulative COLA~~

~~3.~~

~~3. Tribal Secretary, \$35,000.00, plus accumulative COLA~~

4. Six (6) Tribal Council members, \$320,000.00 ~~p~~

B. The above compensation shall be subject to federal and state (if applicable) taxation. Tax withholdings are elective and may be withheld from each payment.

C. Additionally Tribal Council members shall be able to participate in the following: contributions to the Tribe's retirement plan or a similar plan shall be allowed with the same

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conditions and restrictions applied to Tribal employees and other contributors in the Tribal Government Retirement plan including health insurance, life insurance and other Tribal insurance programs at the same rate as governmental employees.

SECTION V. TRAVEL EXPENSE

Travel expenses for approved travel shall be paid in advance or reimbursed at the same rate as allowed employees in the Tribal Council approved Tribal Governmental Employees Travel Reimbursement Policy, or as amended.

~~SECTION VI. TRIBAL COUNCIL COMMITTEES~~

~~Chairs and members of Tribal Council committees that are either standing committees or ad hoc committees that approved by Tribal council shall be paid a stipend to attend the committee meeting. Other Councilors may attend the meetings but shall not be paid a stipend.~~

SECTION VII. WORKGROUPS, TEAMS, OTHER MEETINGS

Councilors who participation in or attendance workgroups, teams or other meetings shall not be paid a stipend unless approved by Tribal Council.

SECTION VIII. ABSENTEEISM

A. All Tribal Councilors are required to attend Tribal Council meetings, Work-sessions and committee meetings wherein they are a member of the committee or the committee chair.

B. Tribal Council may remove a Councilor from a committee as either the Chair or

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Committee member for habitually or frequently absenteeism from Tribal Council meetings,
Work-sessions or Tribal Council Committee meetings wherein they are a member of the
committee or the committee chair. ~~or~~

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~~A. Tribal Council may remove a Councilor from~~ ~~may remove~~ their officer status of
Legislative Leader, Secretary or Treasurer for habitually or frequently absenteeism from Tribal
Council meetings, Work-sessions or Tribal Council Committee meetings wherein they are ~~either~~
~~a member of the committee or the committee chair. the Chair or a member of the Committee.~~
C.

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~~B.D.~~ Removal from a Committee or removal of officer status shall only be by a majority vote
of Tribal Council.

SECTION ~~IXVIII.~~ COMPENSATION PROHIBITIONS

Persons receiving compensation authorized by this Statute shall be prohibited from:

A. Receiving unemployment compensation for any reductions or termination of said
compensation.

B. Receiving any other type of payment for compensation not explicitly listed in this
Statute, including stipends. ~~Stipend means a set amount of money paid for attendance.~~

C. Receiving overtime provision.

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~~D. Exception: In the event where the Legislative Leader becomes the acting chair, the~~
~~Secretary shall receive an additional \$5,000.00 plus the accumulated COLA for time that he or~~
~~she assumes the duties of the former Legislative Leader.~~

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2 **SECTION IX. EMPLOYMENT**
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4 In accordance the Tribal Constitution, Tribal Council members if employed as enterprise
5 employees of a Tribal enterprise may not hold more than one fulltime paid position, even if they
6 decline pay for one of the positions.
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9 **SECTION XI. SEVERABILITY**
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11 If any section, subsection, paragraph, sentence, phrase or portion of this Statute is, for
12 any reason, held invalid or unconstitutional by any court of competent jurisdiction, such portion
13 shall be deemed a separate, distinct and independent provision and such holding shall not affect
14 the validity of the remaining portions thereof.
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17 **SECTION XII. EFFECTIVE DATE**
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19 Effective upon signature of the Executive or thirty (30) days from Tribal Council
20 approval whichever comes first or if the Executive vetoes the legislation, then upon Tribal
21 Council override of the veto, but shall not be implemented until after the next election and until
22 the next Tribal Council or individual councilors are sworn in.
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24
25 **CERTIFICATION**